

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK RONALD HOLLEY,

Plaintiff,

No. CIV S-04-2006 MCE PAN P

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On June 22, 2006, plaintiff filed a motion for summary judgment. On July 26, 2006, defendants requested leave to act beyond time to August 21, 2006, to oppose plaintiff's motion for summary judgment and to cross-move for summary judgment. The court finds good cause and will grant the request. Defendants shall file their opposition and cross-motion on or before August 21, 2006. Plaintiff's reply to Defendants' opposition and opposition to the cross-motion shall be served on or before September 28, 2006. Defendants' reply to Plaintiff's opposition shall be served on or before October 6, 2006.

On July 13, 2006, plaintiff filed a motion in limine. Plaintiff is advised that this motion is premature. Motions in limine are generally filed seven days prior to trial. However,

1 plaintiff will be instructed, in the court's pretrial order, when he should file such motions.

2 Plaintiff's motion will be denied without prejudice.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Defendants' July 26, 2006 request is granted.

5 2. Defendants shall file their opposition and cross-motion on or before August 21,
6 2006. Plaintiff's reply to Defendants' opposition and opposition to the cross-motion shall be
7 served on or before September 28, 2006. Defendants' reply to Plaintiff's opposition shall be
8 served on or before October 6, 2006.

9 3. Plaintiff's July 13, 2006 motion is denied without prejudice.

10 DATED: July 27, 2006.

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13 UNITED STATES MAGISTRATE JUDGE

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